

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)
)
Amendment of Section 73.622(b),) MM Docket No. 01-128
Table of Allotments,) RM-10133
Digital Television Broadcast Stations.)
(Charleston, South Carolina))

REPORT AND ORDER
(Proceeding Terminated)

Adopted: April 26, 2002

Released: May 2, 2002

By the Chief, Video Division:

1. At the request of WCSC, Inc. ("WCSC"), licensee of station WCSC-TV, NTSC channel 5, Charleston, South Carolina, the Commission has before it the Notice of Proposed Rule Making, 16 FCC Rcd 12872 (2001), proposing the substitution of DTV channel 47 for station WCSC-TV's assigned DTV channel 52. WCSC filed comments affirming its support of the channel proposal and; also, filed a petition for partial rescission of auction public notice. Fant Broadcast Development LLC ("Fant"), Grant Video, Inc. ("Grant") and Pappas Telecasting Companies ("Pappas") filed comments. WCSC filed reply comments.¹

2. We believe the public interest would be served by substituting DTV channel 47 for WCSC-TV's assigned DTV channel, since it would permit WCSC to operate on a core channel while permitting the station to share a common antenna and collocate with station WITV-DT. DTV channel 47 can be allotted to Charleston, South Carolina, as proposed, in compliance with the principle community coverage requirements of Section 73.625(a) at coordinates 32-55-28 N. and 79-41-58 W. In addition, we find that this channel is acceptable under the 2 percent criterion for *de minimis* impact that is applied in evaluating requests for modification of initial DTV allotments under Section 73.623(c)(2) for Station WCSC-DT with the following specifications:

<u>State & City</u>	<u>DTV Channel</u>	<u>DTV power (kW)</u>	<u>Antenna HAAT (m)</u>	<u>DTV Service Pop. (thous.)</u>
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¹ In its comments, WCSC requests partial rescission of clarification of the auction public notice, Auction Filing Window for New Analog Television Stations, Auction No. 82, DA 01-2882, released December 13, 2001, which listed an application filed by Fant for a new analog television station on channel 47 at Columbia, South Carolina. Grant, Fant, and Pappas all filed comments relating to this issue, each proposing various resolutions regarding the issue of whether or not channel 47 at Columbia, South Carolina, is entitled to protection from the proposed DTV channel 47 at Charleston. However, we specifically advised bidders in the Columbia, South Carolina, auction proceeding that any construction permit for their facility would be conditioned on acceptance of interference from WCSC-DT, channel 47, Charleston, South Carolina. Id. at page 6. Thus, we need not address this issue further in this proceeding.

SC Charleston	47	1000	597	851
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3. Accordingly, pursuant to the authority contained in Sections 4(i), 5(c)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Sections 0.61, 0.204(b) and 0.283 of the Commission's Rules, IT IS ORDERED, That effective June 17, 2002, the DTV Table of Allotments, Section 73.622(b) of the Commission's Rules, IS AMENDED, with respect to the community listed below, to read as follows:

<u>City</u>	<u>Channel No.</u>
Charleston, South Carolina	34, 35, 40, 47, *49, 50 ²

4. IT IS FURTHER ORDERED, That within 45 days of the effective date of this Order, WCSC, Inc. shall submit to the Commission a minor change application for a construction permit (FCC Form 301) specifying DTV Channel 47 in lieu of DTV Channel 52 for station.

5. IT IS FURTHER ORDERED, That this proceeding IS TERMINATED.

6. For further information concerning this proceeding, contact Pam Blumenthal, Media Bureau, (202) 418-1600.

FEDERAL COMMUNICATIONS COMMISSION

Barbara A. Kreisman
Chief, Video Division
Media Bureau

² In two separate proceedings, the Commission modified the DTV Table of Allotments for Charleston, South Carolina. Station WCBD-DT was modified from DTV channel 59 to DTV channel 50; and Station WCIV-DT was modified from DTV channel 53 to DTV channel 34 in MM Docket No. 01-335 and MM Docket No. 01-222, respectively. These changes were effective as of April 22, 2002.